

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JESSICA LITZINGER, *
Plaintiff *
v. * Civil Action No.: JFM-02-4115
BRADLEY A. MCGUIRK, *
Defendant *

* * * * *

JOINT MOTION TO MODIFY SCHEDULING ORDER

Bradley A. McGuirk, Defendant, by his attorney, Donald E. Hoffman, Assistant Attorney General, with the consent of Duane Verderame, Esquire, counsel for Plaintiff, hereby requests additional time for Defendant to file his Fed. R. Civ. P. 26(a)(2) disclosures as well as for all subsequent dates in the Scheduling Order, and in support says:

1. That on September 22, 2003, upon agreement and written request of counsel for the parties herein, this Honorable Court approved an extension to its Scheduling Order of September 5, 2003, to allow additional deposition hours and a 90 day extension of the dates in the scheduling order.
2. That as discovery has proceeded, including depositions, it has become clear that neither Plaintiff nor Defendant has been successful in obtaining a complete set of Plaintiff's medical records. The inability to obtain all necessary medical records is due to

additional physicians being identified by the Plaintiff and some health care providers not complying with Plaintiff's voluntary requests for records.

3. The failure to have all necessary medical records has resulted in Defendant likely having to retain additional medical experts and rendering the review of medical records already performed as incomplete.

4. Therefore, counsel request an extension of 90 days for all dates in the Scheduling Order beginning with Defendant's Rule 26(a)(2) disclosures re experts through and including trial.

5. That the Plaintiff consents and joins in this Motion.

WHEREFORE, Defendant requests this Honorable Court Grant his Joint Motion to Modify Scheduling Order.

Respectfully submitted,

Donald E. Hoffman
Assistant Attorney General
Maryland State Police
1201 Reisterstown Road
Pikesville, Maryland 21208
410-653-4227
Trial Bar No. 23529

Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 26th day of February, 2004, I caused to be served, by and through E-Filing with the United States District Court for the District of Maryland, Joint Motion to Modify Scheduling Order to Duane A. Verderame, Esquire, Verderame & DuBois, P.A., 1231 North Calvert Street, Baltimore, Maryland 21202, Attorney for Plaintiff.

Donald E. Hoffman
Assistant Attorney General